

### **REMARKS**

This preliminary amendment is responsive to a final Office Action dated March 12, 2004. In the communication, Applicant has amended claims 1-3, 20, 22, 25, 26, 28-31, 64, and 93, canceled claims 56-63, and added claims 109-117. Upon entry of this amendment, claims 1-17, 20-22, 25-31, 64-73, 93-100 and 108-117 are pending.

In the Office Action, the Examiner rejected claims 1-10, 12-13, 15-17, 20-22, 25-27, 56-73, 93 and 96-100 under 35 U.S.C. 102(e) as being anticipated by Sloo (USPN 5,895,450). In addition, the Examiner rejected claims 11, 14, 28, 28-29, 30-31 94, 108 under 35 U.S.C. § 103 over Sloo in view of Collins et al (US Publication 2002/0007362), Burchetta et al. (USPN 6,330,551), and in further view of NeuralTech, Inc. ("NeuralTech") and Cookmeyer II (USPN 6,363,384).

Applicant continues to traverse the rejections for reasons set forth in previous communications with the Examiner, said reasons being incorporated herein in their entirety. Nevertheless, to expedite prosecution of the pending application, Applicant has amended the currently pending claims, and added new claims, to present specific embodiments of the invention in which an online dispute resolution system achieves integration with an online marketplace. The applied references fail to disclose or suggest the inventions defined by Applicant's new and amended claims, and provide no teaching that would have suggested the desirability of modification to arrive at the claimed inventions. No new matter has been added by the new claims. Support for the amendments and newly added claims can be found throughout the specification. As one example, pages 13-14 of the present application describe various embodiments of a dispute resolution system that achieves integration with an online marketplace.

Upon entry of this amendment, Applicant's independent claim1 recites:

*A method for resolving an electronic commerce dispute involving one or more parties, comprising:*

*electronically providing access to an online dispute resolution system to allow at least one of the parties to initiate a filing of the dispute from an online marketplace;*

*electronically receiving with the online dispute resolution system transaction data from the marketplace, wherein the transaction data describes transactions within the online marketplace;*

*receiving from at least one of the parties information that related to the dispute; and*

*executing software with the online dispute resolution system to apply an online dispute resolution process that utilizes at least a portion of the transaction data from the market place and the information to assist the parties in resolving the dispute.*

Newly added independent claim 112 recites:

*A system comprising:*

*an online dispute resolution system that electronically receives transaction data from a marketplace that provides a web-based community having buyers and sellers of goods and services, the transaction data describing transactions within the electronic marketplace,*

*wherein the dispute resolution system executes software that utilizes the transaction data and applies a dispute resolution process to assist the buyers or sellers in resolving disputes relating to the transactions, and*

*wherein the online dispute resolution system electronically provides status data to the marketplace based on participation of the buyers or sellers within the online dispute resolution process.*

The integration between the dispute resolution system and the online market places allows, for example, transaction data from the marketplace to be utilized by the online dispute resolution system during the dispute resolution process, as recited by claim 1 as amended. The

marketplace and the online dispute resolution system may share data generally, or may include components to automatically communicate data between separate databases, as recited in claims 111 and 115.

As another example, a party, such as a buyer or seller within the marketplace, may initiate a dispute resolution process directly from the marketplace with respect to a transaction within the marketplace. This feature is also recited by claim 1 as amended.

As an additional example, the online dispute resolution system may electronically provide status data back to the marketplace based on participation of the buyers or sellers within the online dispute resolution system, as recited by claim 112.

As yet another example, the online dispute resolution system may electronically receive enrollment requests from the marketplace, and automatically initiate enrollment of sellers or buyers within the dispute resolution system in response to the electronic requests from the marketplace, as recited by claim 110.

### CONCLUSION

Applicant submits that all claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

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